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EXAMINER

DHARIA, PRABODH M

ART UNIT	PAPER NUMBER
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2673

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Please find below and/or attached an Office communication concerning this application or proceeding.



Art Unit: 2673

1. **Status:** Receipt is acknowledged of papers submitted on 11-28-2005 under request for reconsiderations, amendments and new claim, which have been placed of record in the file.

Claims 1-19, 12-19 and 22 are pending in this action. Claims 11, 20, 21 are cancelled.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (6,300,594 B1) in view of Abileah (20030222857 A1) and Arai Susumu (JP 09-052964).

Regarding Claim 1, Kinoshita et al. teaches specifically a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (Col. 7, Lines 51-54, Col. 8, Lines 39-53).

However, Kinoshita et al. fails to teach specifically a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode wherein at least the transparent substrate or the contact layer is capable of resisting ultra-violet rays.

However, Abileah teaches a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate and the contact layer is capable of resisting ultra-violet rays (page 4, paragraph 51, page 5, paragraphs 51, 57).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate Abileah teaching in teaching of Aufderheide to have a touch panel or touch screen providing substantially reduced reflection of ambient light and undistorted image.

Kinoshita et al. teaches specifically a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (Col. 7, Lines 51-54, Col. 8, Lines 39-53).

However, Kinoshita et al. fails to recite or disclose the transparent substrate and the contact layer is capable of resisting ultra-violet rays.

However, Arai Susumu discloses the transparent substrate and the contact layer is capable of resisting ultra-violet rays (page 3, paragraph 2, Lines 1-8).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate Arai Susumu teaching in teaching of Kinoshita et al. to have a touch panel or touch screen providing substantially reduced reflection of ambient light and undistorted image with reduced effect of UV rays.

Art Unit: 2673

Regarding Claim 2, Abileah teaches a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate or the contact layer is capable of resisting ultra-violet rays (page 4, paragraph 51, page 5, paragraphs 51, 57).

Regarding Claim 3, Abileah teaches the contact layer further includes a hard coating on the other side of the surface with the second transparent electrode thereon (page 4, paragraph 48).

Regarding Claim 4, Kinoshita et al. teaches the space between the first transparent electrode and the second transparent electrode contains a plurality of spacers (Col. 8, Lines 39-45).

Regarding Claim 5, Kinoshita et al. teaches the first transparent electrode and the second transparent electrode are made with identical material or different materials (Col. 8, Lines 39-45, Col. 10, Lines 37-40).

Regarding Claim 6, Abileah teaches material constituting the contact layer is selected from a group consisting of polyester, glass and glass with a transparent electrode therein (page 4, paragraphs 48,49).

Art Unit: 2673

Regarding Claim 7, Abileah teaches the contact layer and the transparent substrate comprise an optical coating thereon (page 4, paragraphs 48, 49).

Regarding Claim 8, Abileah teaches includes an adhesion element attached to the edges of the first transparent electrode (page 4, paragraph 49, page 3, paragraph 37)

Regarding Claim 9, Abileah teaches both the transparent substrate and the contact layer have ultra-violet ray resisting capacity (page 4, paragraph 51, page 5, paragraphs 51, 57 teaches any plastic can be coated with UV absorbing and resisting material).

4. Claims 10, 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abileah (20030222857 A1) in view of Arai Susumu (JP 09-052964).

Regarding Claim 10, Abileah teaches a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate or the contact layer is capable of substantially reduces intensity ultra-violet rays (page 4, paragraph 51, page 5, paragraphs 51, 57).

However, Abileah fails to recite or disclose the transparent substrate and the contact layer is capable of resisting ultra-violet rays.

Art Unit: 2673

However, Arai Susumu discloses the transparent substrate and the contact layer is capable of resisting ultra-violet rays (page 3, paragraph 2, Lines 1-8).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate Arai Susumu teaching in teaching of Abileah to have a touch panel or touch screen providing substantially reduced reflection of ambient light and undistorted image with reduced effect of UV rays.

Regarding Claim 12, Kinoshita et al. teaches specifically a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (Col. 7, Lines 51-54, Col. 8, Lines 39-53).

Regarding Claim 13, Abileah teaches the touch control panel further includes an adhesion element attached to the edges of the first transparent electrode (page 4, paragraphs 48,49).

Regarding Claim 14, Abileah teaches the touch control panel further includes a hard coating on the outward facing surface of the contact layer (page 4, paragraphs 48, 49, page 5, paragraph 51).

Art Unit: 2673

Regarding Claim 15, Abileah teaches the space between the first transparent electrode and the second transparent electrode comprise a plurality of spacers (page 3, paragraph 37).

Regarding Claim 16, Abileah teaches a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate or the contact layer is capable of resisting ultra-violet rays (page 4, paragraph 51, page 5, paragraphs 51, 57).

Regarding Claim 17, Abileah teaches the first transparent electrode and the second transparent electrode are made with identical material or different materials (page 3, paragraph 37).

Regarding Claim 18, Abileah teaches material constituting the contact layer within the touch control panel is selected from a group consisting of polymer resin, glass and glass with a transparent electrode therein (page 4, paragraphs 48,49).

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abileah (20030222857 A1) in view of Arai Susumu (JP 09-052964) as applied to claims 10-18 above and further in view of Wang et al. (US 2003/0048597 A1).

Regarding Claim 19, Abileah teaches a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second



Art Unit: 2673

transparent electrode disposed on surface of the contact layer facing the first transparent electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate or the contact layer is capable of substantially reduces intensity ultra-violet rays (page 4, paragraph 51, page 5, paragraphs 51, 57).

However, Abileah modified by Arai Susumu (JP 09-052964) fails to teach the touch control panel is attached to the display panel through double-sided tape.

However, Wang et al. teaches the touch control panel is attached to the display panel through double-sided tape (page 1, paragraph 15, page 2, paragraph 6).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate Kinoshita et al. teaching in teaching of Abileah modified by Arai Susumu (JP 09-052964) to have user friendly PDA with dust proof and water proof function.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aufderheide et al. (6,587,097 B1) in view of Abileah (20030222857 A1).

Regarding Claim 22, Aufderheide teaches a touch control panel (Col. 8, Lines 19-21) that provides a shield against ultra-violet rays (Col. 8, Lines 36-54), comprising: a transparent (Col. 2, Lines 57,58) substrate (Col. 2, Line 64 to Col.3, Line 3); a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode (Col. 2, Line 53 to Col. 3, Line 3); wherein at least the transparent substrate (Col. 2, Lines 53-66) or the contact layer is able to shield against ultra-violet rays (Col. 5, Lines 51-57,

Art Unit: 2673

Col. 7, Lines 22-26, Col. 8, Lines 19-24, Lines 36-65) and the display panel is selected from a group consisting of an organic light-emitting diode panel, a plasma display panel, a liquid crystal display panel and a cathode ray tube screen display (Col. 6, Lines 42-49).

However, Aufderheide fails to teach specifically a transparent substrate; a first transparent electrode disposed on the transparent substrate; a contact layer over the transparent substrate; and a second transparent electrode disposed on surface of the contact layer facing the first transparent electrode wherein at least the transparent substrate or the contact layer is capable of resisting ultra-violet rays.

However, Abileah teaches a touch control panel over the display panel comprising at least a transparent substrate and a contact layer over the transparent substrate electrode (page 3, paragraphs 35-38) wherein at least the transparent substrate or the contact layer is capable of resisting ultra-violet rays such that intensity of the ultra-violet rays after passing through the touch control panel is substantially reduced (item 178,180,196 figure 8, page 4, paragraph 51, page 5, paragraphs 51,54, 57).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate Abileah teaching in teaching of Aufderheide to have a touch panel or touch screen providing substantially reduced reflection of ambient light and undistorted image.

### ***Response to Arguments***

7. Applicant's arguments filed 11-28-2005 have been fully considered but they are not persuasive.

Applicant argues cited references fail to recite or disclose contact layer is also capable of resisting Ultra-Violet Rays.

Examiner disagrees as Abileah teaches contact layer (item 178,180,196 figure 8, page 5, paragraph 54, see Lines 5-8) is also capable of resisting Ultra-Violet Rays (item 178,180,196 figure 8, page 5, paragraph 57, see lines 23-33).

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

Art Unit: 2673

10. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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January 14, 2006



**VIJAY SHANKAR  
PRIMARY EXAMINER**